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Anne C. Ronan (State Bar #006041)
ARIZONA CENTER FOR LAW IN THE PUBLIC INTEREST
202 East McDowell Road, Suite 153
Phoenix, Arizona 85004
(602) 258-8850

Cheryl Koch Martinez (State Bar #019162)
ARIZONA CENTER FOR DISABILITY LAW
3839 North Third Street, Suite 209
Phoenix, Arizona 85003

Steven J. Schwartz
Cathy E. Costanzo
CENTER FOR PUBLIC REPRESENTATION
22 Green Street
Northampton, MA. 01060
(413) 584-6838

Attorneys for Plaintiffs

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

CHARLES ARNOLD, MARICOPA PUBLIC
FIDUCIARY, as guardian and next friend on
behalf of JOHN GOSS; NANCY E. ELLISTON,
as guardian, Maricopa County conservator and
next friend on behalf of CLIFTON DORSETT and
as next friend on behalf of RICHARD
SCHACHERLE and SUSAN SITKO; TERRY
BURCH; and on behalf of all others similarly
situated,

Plaintiffs,

v.

ARIZONA DEPARTMENT OF HEALTH
SERVICES, ARIZONA STATE HOSPITAL,
MARICOPA COUNTY BOARD OF
SUPERVISORS, JANET NAPOLITANO,
GOVERNOR OF ARIZONA,

Defendants.

Maricopa County
No. C-432355

**STIPULATION ON
COMPLETION DATES**

(Assigned to the Honorable
Bernard J. Dougherty)

1 Pursuant to the Court's Minute entry of October 8, 2004 the parties met on several
2 occasions to discuss final compliance dates for the requirements in the Orders in this case.
3 The parties hereby stipulate and agree to the following terms and request that their
4 Stipulation be made an Order of this Court:
5

6 1. The Defendants will comply with each provision of the Joint Stipulation on
7 Exit Criteria and Disengagement [Stipulation] and Supplemental Agreement [Agreement]
8 by the dates set forth in Exhibit 1. As provided by existing orders, when the Defendants
9 believe they have complied with a particular provision of the Stipulation or Agreement, they
10 may file a motion for partial disengagement as provided in the Stipulation.
11

12 2. By May 1 of each year, the parties will meet to review the dates set forth in
13 Exhibit 1 and determine if there is good cause to modify a particular date based upon a
14 substantial change in circumstances.

15 3. By April 1, 2005, the parties and the Monitor will complete discussions
16 concerning proposed revisions to the Monitor's community review process and protocol
17 with respect to all standards for compliance with all provisions of the Stipulation and
18 Agreement, including Appendix C. Revisions will only be made with the Monitor's
19 approval and consent. To the extent authorized by the Stipulation and Attachment F, any
20 party may seek review of the Monitor's decision concerning her community review process
21 and protocol.
22

23 4. By April 1, 2005, the parties and Monitor will establish standards for
24 compliance for all provisions of the Stipulation and Agreement other than Appendix C. In
25 the event that the parties cannot reach agreement on a particular item, the Monitor shall

1 determine the appropriate compliance standard. To the extent authorized by the Stipulation
2 and Attachment F, any party may seek review of the Monitor's decision concerning
3 compliance standards.
4

5 5. In order to implement the Service Capacity Attachment (Leff Report), as
6 required by Paragraphs 16 and 21 of the Agreement, the Defendants will seek the
7 necessary appropriations, including seeking a supplemental appropriation in FY05 for
8 additional funding this year, to fully implement the funding level in the original
9 Attachment (\$316,988,474) by the end of FY06.

10 6. In FY07, the Defendants will seek at least a 5% increase in the funding level
11 of the original Service Capacity Attachment in FY07, unless inflation and the growth of the
12 number of persons with serious mental illness in Maricopa County is less than 5%, in which
13 case the Defendants will seek an increase to reflect the actual inflation and population
14 growth.
15

16 7. For FY08 and thereafter, the Defendants will seek annual increases to reflect
17 the actual inflation and population growth of persons with serious mental illness in
18 Maricopa County, unless they can demonstrate that a smaller increase would be sufficient to
19 meet and maintain the service levels and compliance percentages set forth in Exhibit 1.

20 8. Unless otherwise agreed to by the parties, the Monitor will evaluate
21 compliance with each provision of the Stipulation and Agreement within sixty days of the
22 required completion date. The Monitor will report her findings to the parties within thirty
23 days thereafter.
24
25

1 9. This Stipulation is not intended to modify any provision of any existing court
2 order in this matter.

3 **RESPECTFULLY SUBMITTED** this 15th day of December, 2004.
4

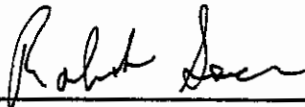
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9 Anne C. Ronan
10 ARIZONA CENTER FOR LAW IN THE
11 PUBLIC INTEREST
12 202 East McDowell Road
13 Suite 153
14 Phoenix, Arizona 85004

15 Cheryl Koch-Martinez
16 ARIZONA CENTER FOR DISABILITY LAW
17 3839 North Third Street, Suite 209
18 Phoenix, Arizona 85012

19 Steven J. Schwartz
20 Cathy E. Costanzo
21 CENTER FOR PUBLIC REPRESENTATION
22 22 Green Street
23 Northampton, Massachusetts 01060

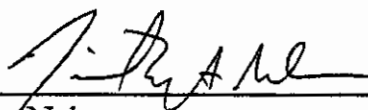
24 *Attorneys for Plaintiffs*

25 

Robert Sorce
OFFICE OF THE ATTORNEY GENERAL
1275 West Washington
Phoenix, Arizona 85007

Attorneys for Defendants

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Tim Nelson
General Counsel
Governor Janet Napolitano
1700 West Washington
9th Floor
Phoenix, Arizona 85007

Counsel for the Governor

ORIGINAL of the foregoing
filed this 15th day of December,
2004 with:

Clerk of the Superior Court
201 W. Jefferson
Phoenix, Arizona 85003

COPY of the foregoing hand
delivered this 15th day of
December, 2004 to:

The Honorable Bernard J. Dougherty
Superior Court of Maricopa County
201 W. Jefferson
Suite 4A
Phoenix, AZ 85003
Attention: Cheryl - Judge Colin Campbell

COPY of the foregoing mailed this 15th day
of December, 2004 to:

Robert J. Sorce
Office of the Attorney General
1275 W. Washington
Phoenix, AZ 85007

Attorneys for State Defendants

1 Tim Nelson
2 General Counsel
3 Governor Janet Napolitano
4 1700 W. Washington, 9th Floor
5 Phoenix, AZ 85007

6 *Counsel for the Governor*

7 Louis Gorman
8 Maricopa County Attorney
9 Division of County Counsel
10 222 N. Central, Suite 1100
11 Phoenix, AZ 85004-2206

12 Charles L. Arnold
13 Frazer, Ryan, Goldberg & Arnold
14 3101 N. Central Avenue, Suite 1600
15 Phoenix, AZ 85012

16 *Attorney for the Monitor*

17 Nancy Diggs
18 Office of the Monitor
19 4201 N. 16th Street
20 Suite 220
21 Phoenix, AZ 85016

22 *Monitor*

23 Michael S. Rubin
24 Gary L. Birnbaum
25 Mariscal, Weeks, McIntyre & Friedlander, P.A.
2901 N. Central Avenue, Suite 200
Phoenix, AZ 85012

Attorneys for County Defendants

Cheryl Koch-Martinez
Arizona Center for Disability Law
3839 N. Third Street, Suite 209
Phoenix, AZ 85012

1 Steven J. Schwartz
2 Cathy E. Costanzo
3 CENTER FOR PUBLIC REPRESENTATION
4 22 Green Street
5 Northampton, Massachusetts 01060

6 *Attorneys for Plaintiffs*

7 By: 
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